REMARKS

Claims 1 – 21 and 23 – 39 are currently pending in the application. By this amendment, claims 1, 4, 17 and 39 have been amended and claim 22 has been canceled. The above amendments do not add new matter to the application and are fully supported by the specification. Reconsideration of the rejected claims in view of the above amendments and the below remarks is requested.

35 U.S.C. §102 Rejections

Claims 1 – 3, 5, 9, 10, 15, 16, 27, 30 and 32 – 34 were rejected under 35 U.S.C. §102(e) for being anticipated by U. S. Patent Publication 2005/0086501 issued to Woo *et al.* ("Woo") and claims 17 – 20, 22 – 26[1] were rejected under 35 U.S.C. §102(e) for being anticipated by U. S. Patent Publication 2004/0024652 issued to Buhse *et al.* ("Buhse").

To anticipate a claim, each and every element as set forth in the claim must be found, either expressly or inherently described, in a single prior art reference. MPEP §2131. Applicant submits that the applied references do not disclose every feature of the claimed invention.

Independent Claims 1, 27, 32 and 39 over Woo

The present invention generally relates to a digital rights protection method and system.

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[1] Applicant notes that while dependent claim 24 was stated as rejected under 35 U.S.C. § 102(e) over Buhse, claim 24 was not addressed under this rejection. Rather, Applicant submits that claim 24 was rejected under 35 U.S.C. § 103(a) over Buhse in view of Woo. Therefore, Applicant will not address claim 24 under the 35 U.S.C. § 102(e) rejection.

<u>Claim 1</u>

Claim 1 recites, in pertinent part:

>   accessing an authoring application for creating a shareable content object
> (SCO), the accessing being through at least one of a web based remote access and
> a download of the authoring application;
>   composing a shareable content object (SCO) representing one or more
> assets using the authoring application; assigning a digital rights to the SCO to
> secure the one or more assets; and
>   individually controlling access to the SCO and the one or more assets by
> utilizing the assigned digital rights to the SCO or the one or more assets,
>   wherein the download of the authoring application includes checking the
> client browser's version and downloading the DRM extension appropriate for the
> browser's version.

Applicant submits that Woo does not disclose each of these features. For example,

Applicant submits that Woo at least does not disclose checking the client browser's version and

downloading the DRM extension appropriate for the browser's version. As addressed under the

§ 103(a) rejection of original claim 4, the Examiner asserts that this feature is disclosed at

paragraph [0161]. Applicant disagrees.

Woo discloses a method and system for the information protection of digital content.

More specifically, Woo discloses at paragraphs [0146] and [0147]:

>   The present invention will be described in more detail as
> following. FIG. 1 is a block diagram of representative digital rights
> management system. To begin with, the original content 111 for
> streaming and/or download service, such as motion pictures, movies,
> music, online education content and so on, is packaged to encrypted
> content package 121 using content packager 112 of encryption means
> 110. The encryption key is generated at DRM server 130 and it is
> transferred to content package 121. The encrypted content package 121 is
> uploaded to content server, which may be a streaming server 122a for
> streaming service or web/FTP server 122b for download service.
>   If client system's user 401 selects and clicks the icon/name of
> content on the homepage or content server 122, for example web server
> 122b, the content may be serviced to user through streaming or download
> service. After the user 401 selects the content item for the streaming
> service and therefore the DRM controller 141 is activated, encrypted

content package 142 is delivered from streaming server 122a, connected
with web server 122b, to client system 140. . . .

Further, Woo discloses at paragraphs [0161] and [0162]:

> From now on, the content playing process will be explained.
> FIG. 3 is a sequence chart of playing process of encrypted
> multimedia content using streaming service. To begin with, it is
> necessary to install the DRM controller 141 in client system 140 for
> content playing. If the DRM controller 141 is not installed yet in client
> system 140, it may be [sic] to install the DRM controller when a client
> system's user 401 use the content service of DRM applied, or after
> member subscription. DRM controller 141 may be downloaded and
> installed automatically using ActiveX control method. After installing
> process of the DRM controller 141, the DRM controller may be checked
> with version number and only upgraded when a new version is released.

While Applicant acknowledges that the DRM controller may be checked and upgraded
when a new version is released, Applicant submits that the DRM controller is not the authoring
application. Rather, the DRM controller is a component used for the content playing process by
the end user. As such, Applicant submits that Woo does not disclose that the download of the
authoring application includes checking the client browser's version and downloading the DRM
extension appropriate for the browser's version.

Therefore, Applicant submits that Woo does not discloses each and every feature of claim
1, and does not anticipate the claimed invention.

Claim 27

Claim 27 recites in pertinent part:

> a portal server to permit authoring of at least one shareable content object
> (SCO) having one or more assets;
> a digital rights management (DRM) content packager accessible via the
> portal server which assigns digital rights to the at least one shareable content
> object (SCO);

a DRM license server which assigns license criteria to the at least one SCO and the one or more assets; and

a content manager which stores or retrieves the at least one SCO and the one or more assets.

Applicant submits that Woo does not disclose each of these features. For example, Applicant submits that Woo at least does not disclose a portal server to permit authoring of at least one shareable content object (SCO) having one or more assets. The Examiner asserts that this feature is disclosed at paragraph [0074]. Applicant disagrees.

Woo discloses at paragraphs [0073] and [0074]:

In a preferred embodiment, the initiating and connecting step comprises:

the step (S31) of the Web server (122b) or FTP server sending content identification information and user identification information to the DRM controller (141) if the application program (144) is commanded to retrieve contents after downloading of the contents in the case of a downloading manner, or if contents are selected on a Web page in the case of a streaming manner;

While the Examiner asserts that the Web server or the FTP server constitutes a portal server to permit authoring of at least one shareable content object (SCO) having one or more assets, Applicant submits that the Web server or the FTP server does not permit the authoring of at least one shareable content object (SCO) having one or more assets. Rather, Applicant submits that the Web server or the FTP server is used during the initiating and connecting step to connect clients (or users of the content) with the digitally protected content. Further, Applicant submits that the DRM controller (141) and the application program (144) are components of the client system (140). As such, Applicant submits that the Web server or the FTP server is not involved in the authoring of at least one SCO. Thus, Applicant submits that Woo does not disclose a portal server to permit authoring of at least one shareable content object (SCO) having

one or more assets. Therefore, Applicant submits that Woo does not disclose each and every

feature of claim 27, and does not anticipate the claimed invention.

Claim 32

Claim 32 recites, in pertinent part:

> a secure uploading service capable of receiving unprotected digital content
> having one or more parts, associated metadata, and one or more promotional
> materials;
> an automatic validation component adapted to ensure conformance of the
> unprotected digital content to Shareable Content Object Reference Model
> (SCORM) standards and providing error messages to enable correction; and
> a digital rights generation layer having one or more components adapted
> to provide a web-based interface for specifying different rights to the one or more
> parts for providing protected digital content.

Applicant submits that Woo does not disclose each of these features. For example,

Applicant submits that Woo at least does not disclose an automatic validation component

adapted to ensure conformance of the unprotected digital content to Shareable Content Object

Reference Model (SCORM) standards and providing error messages to enable correction. The

Examiner asserts that this feature is disclosed at paragraph [0050]. Applicant disagrees.

Woo discloses at paragraphs [0048] – [0050]:

> In a preferred embodiment, the client system further comprises
> storage means that revises or edits contents that the application program
> (144) have decrypted and read, and encrypts and stores the revised or
> edited contents, and the network filter driver (404) or file filter driver
> (407) further comprises an encryption means.
> In a preferred embodiment, the network filter driver (404) or file
> filter driver (407) is situated on an uppermost one of device driver layers
> in a direction toward the application program (144).
> In a preferred embodiment, the network filter driver (404) uses a
> Transmission Control Protocol (TCP), or User Diagram Protocol (UDP)
> additionally having a function of correcting received data.

Applicant submits that neither the Transmission Control Protocol (TCP) nor the User Diagram/Datagram Protocol (UDP) disclosed by Woo is a Shareable Content Object Reference Model (SCORM), as the Examiner asserts. Further, Applicant submits that TCP is one of the core protocols of the Internet protocol suite, often simply referred to as TCP/IP. Using TCP, applications on networked hosts can create connections to one another, over which they can exchange streams of data using Stream Sockets. The protocol guarantees reliable and in-order delivery of data from sender to receiver. Moreover, Applicant submits that UDP is also one of the core protocols of the Internet protocol suite. Using UDP, programs on networked computers can send short messages sometimes known as datagrams (using Datagram Sockets) to one another. In contrast, SCORM is a generally known collection of standards and specifications for web-based e-learning.

Additionally, Applicant submits that Woo's network filter driver, which utilizes the TCP or UDP, is a component of the client system (i.e., the viewer of the content). As such, Applicant submits that the network filter driver does not ensure conformance of the unprotected digital content, as the digital content presented to the client system has already been protected. Moreover, Applicant submits that Woo is silent as to providing error messages to enable correction.

For at least these reasons, Applicant submits that Woo does not disclose each and every feature of claim 32, and does not anticipate the claimed invention.

Claim 39

Claim 39 recites in pertinent part:

a first computer code to compose a shareable content object (SCO) representing one or more assets;

a second computer code to assign a digital rights to the SCO to secure the one or more assets;

a third computer code to individually access the SCO and the one or more assets, wherein the access to the SCO and the one or more assets is individually controlled by the assigned digital rights; and

a fourth computer code to provide a common interface personalized to a user's profile and role to facilitate one of accessing or downloading the first computer code.

Applicant submits that Woo does not disclose each feature of claim 39. For example, Applicant submits that Woo at least does not disclose a fourth computer code to provide a common interface personalized to a user's profile and role to facilitate one of accessing or downloading the first computer code. While Applicant acknowledges that Woo may disclose code to create sharable content, Applicant submits that Woo is silent as to a forth computer code to provide a common interface personalized to a user's profile and role to facilitate one of accessing or downloading of the first computer code.

Therefore, Applicant submits that Woo does not disclose each and every feature of claim 39, and does not anticipate the claimed invention.

Dependent Claims 2, 3, 5, 9, 10, 15, 16, 30, 33 and 34 over Woo

Applicant submits that claims 2, 3, 5, 9, 10, 15, 16, 30, 33 and 34 are dependent claims, depending from respective distinguishable base claims. Accordingly, these claims should be in condition for allowance based upon their dependencies.

Accordingly, for at least these reasons, Applicant respectfully requests that the rejections over claims 1 – 3, 5, 9, 10, 15, 16, 27, 30, 32 – 34 and 39 be withdrawn.

Independent Claim 17 over Buhse

Claim 17 recites, in pertinent part:

> creating a package containing one or more shareable content objects (SCOs);
> assigning digital rights management (DRM) to the one or more SCOs;
> updating an on-line electronic store (e-Store) with the one or more SCOs;
> making the one or more SCOs available for searching and downloading at a client, wherein access to the one or more SCOs is controlled by the DRM, and the one or more SCOs include one or more assets individually controllable; and
> logging onto a portal server to perform any of the steps, wherein the portal server provides a common interface personalized to a user's profile and role.

Applicant submits that Buhse does not disclose each of these features. For example, Applicant submits that Buhse at least does not disclose logging onto a portal server to perform any of the steps, wherein the portal server provides a common interface personalized to a user's profile and role. In rejecting claim 22, the features of which have been incorporated into independent claim 17, the Examiner asserts that this feature is disclosed at paragraph [0084]. Applicant disagrees.

Buhse discloses a system and method for the distribution of digital products. More specifically, Buhse discloses at paragraph [0076]:

> . . . The CLI 101 is primarily an interface between clients and the system. The inputs are offers, content packaging rules, and subscription plans. The outputs are system reports. The CLI is an algorithm in software programmed on an digital computer that acts as a CLI web interface and gateway for the content provider into the system. The CLI is connected to AMC 304, OCC 102, and APC 106.

Additionally, Buhse discloses at paragraph [0084]:

> Subscription management operations are processed through AMC. These operations allow a client (affiliate) to create custom subscription plans based on their own business rules.

While Applicant acknowledges that Buhse discloses custom subscription plans, Applicant submits that creating custom subscription plans does not constitute logging onto a portal server, where the portal server provides a common interface personalized to a user's profile and role. Moreover, Applicant submits that creating custom subscription plans does not constitute logging onto a portal server to perform any of the steps of claim 17, as creating custom subscription plans is not part of the creating step, the assigning step, the updating step or the making step. More specifically, Applicant submits that creating the custom subscription plans does not constitute creating a package containing one or more shareable content objects, or assigning digital rights management (DRM) to the one or more SCOs. Furthermore, Applicant submits that creating the custom subscription plans does not constitute updating an on-line electronic store (e-Store) with the one or more SCOs or making the one or more SCOs available for searching and downloading at a client.

Therefore, Applicant submits that Buhse does not disclose each and every feature of claim 17, and does not anticipate the claimed invention.

Dependent Claims 18 – 20, 23, 25 and 26

Applicant submits that claims 18 – 20, 23, 25 and 26 are dependent claims, depending from respective distinguishable base claims. Accordingly, these claims should be in condition for allowance based upon their dependencies.

Accordingly, for at least these reasons, Applicant respectfully requests that the rejections over claims 17 – 20, 23, 25 and 26 be withdrawn.

35 U.S.C. §103 Rejections

Claims 4, 37 and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Woo. Claims 6 – 8, 11 – 14, 28, 29, 31, 35 and 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Woo in view of Buhse. Claims 21 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Buhse in view of Woo. These rejections are respectfully traversed.

The Examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach all the claim limitations. MPEP § 2142. Applicant respectfully submits that the applied references do not teach or suggest all of the claim limitations.

Dependent Claims 4, 37 and 38 over Woo

Applicant submits that claims 4, 37 and 38 are dependent claims, depending from respective distinguishable base claims. Accordingly, these claims should be in condition for allowance based upon their dependencies.

Additionally, with respect to claim 38, Applicant submits that Woo does not teach or suggest each feature of the claim. For example, Applicant submits that Woo does not disclose that the digital rights generation layer provides updating and version control capabilities of the

protected digital content and any associated metadata files. The Examiner asserts that these features are discloses by Woo at paragraph [0161]. Applicant disagrees.

As similarly discussed above, with regards to claim 1, while Applicant acknowledges that the DRM controller may be checked and upgraded when a new version is released, Applicant submits that the DRM controller does not provide update and version control capabilities of the protected digital content and any associated metadata files. Rather, Applicant submits that the DRM controller is a component used for the content playing process by the end user of the content. As such, Applicant submits that Woo does not disclose that the DRM controller provides update and version control capabilities of the protected digital content and any associated metadata files. Moreover, Applicant submits that the DRM controller is not a digital rights generation layer, as the DRM controller does not generate the digital rights. Rather, the DRM controller is a component of the client (content user) system used for the content playing process.

Accordingly, for at least these reasons, Applicant respectfully requests that the rejections over claims 4, 37 and 38 be withdrawn.

Dependent Claims 6 – 8, 11 – 14, 29, 31, 35 and 36 over Woo in view of Buhse

Applicant submits that claims 6 – 8, 11 – 14, 29, 31, 35 and 36 are dependent claims, depending from respective distinguishable base claims. Accordingly, these claims should be in condition for allowance based upon their dependencies.

Additionally, with regards to claim 35, Applicant submits that neither Woo or Buhse, alone or in combination, teach or suggest the features of claim 35. For example, Applicant submits that neither Woo or Buhse, alone or in combination, teach or suggest a security manager

component adapted to provide secure communications with client stations and an electronic store, or a content repository component which prevents any input/output operation that creates a rights violation when the protected content is stored.

The Examiner acknowledges that Woo does disclose a security manager component or a content repository component. However, the Examiner asserts that Buhse discloses a security manager component and a content repository component, and that it would have been obvious to one of ordinary skill in the art to combine these references. Applicant disagrees.

The Examiner asserts that Buhse discloses the security manager component at paragraph [0029]. Specifically, the Examiner asserts that this feature is taught or suggested by the passage "the client interface component accessible by clients, allow each client to set up and manage its offer of digital products for sale or subscription." However, Applicant submits that the cited passage is silent with respect to providing secure communications with client stations and an electronic store. Therefore, Applicant submits that Buhse does not teach or suggest the security manager component.

Additionally, the Examiner asserts that the content repository component is disclosed at paragraph [0031]. Specifically, the Examiner asserts that this feature is taught or suggested by the passage "offer catalog component can sends product IDs to the system as well as confirming whether or not a product is part of a subscription plan." However, Applicant submits that the cited passage is silent with respect to preventing any input/output operation that creates a rights violation when the protected content is stored. Therefore, Applicant submits that Buhse does not teach or suggest the content repository component.

Accordingly, for at least these reasons, Applicant respectfully requests that the rejections over claims 6 – 8, 11 – 14, 29, 31, 35 and 36 be withdrawn.

Dependent Claims 21 and 24 over Buhse in view of Woo

Applicant submits that claims 21 and 24 are dependent claims, depending from respective distinguishable base claims. Accordingly, these claims should be in condition for allowance based upon their dependencies.

Accordingly, Applicant respectfully requests that the rejections over claims 21 and 24 be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicants hereby make a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0510.

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